Google sued for allegedly activating Gemini AI to spy on private Gmail messages without user consent

11/18/2025 // Cassie B. // **610** Views

Tags: AI, Big Tech, cyberwar, Gemini, Glitch, gmail, Google, Liberty, outrage, privacy, privacy watch, Resist, rigged, surveillance, tech giants

- A class action lawsuit alleges Google secretly activated its Gemini AI to scan user communications.
- The lawsuit claims this is a violation of the California Invasion of Privacy Act.
- Once activated, Gemini can read and analyze every private email, message, and conversation.
- Google's defense is undermined by the feature being turned on by default and hard to disable.
- This case highlights the threat AI-powered surveillance poses to the sanctity of private communication.

In a move that should send a chill down the spine of anyone who values their personal privacy, the tech behemoth Google is once again in the legal crosshairs. A class action lawsuit filed on Nov. 11 in a San Jose federal court alleges the company has been secretly using its Gemini artificial intelligence tool to snoop on the private communications of its users. This case represents a stunning new front in the war for digital liberty, revealing how powerful AI is being deployed to monitor your most sensitive conversations without your knowledge or permission.

The complaint centers on a crucial change Google allegedly made around Oct. 10. Until that point, the Gemini AI assistant was an opt-in feature. Users had to deliberately choose to

activate it. According to the lawsuit, Google then "secretly" turned on Gemini by default for all users of its Gmail, Chat, and Meet services. This action, the plaintiffs argue, enabled AI to track users' private data on these platforms "without the users' knowledge or consent."

This is not a simple change in user interface. It is a fundamental violation of trust. The lawsuit alleges that Google is in direct violation of the California Invasion of Privacy Act, a law established in 1967 to protect citizens from surreptitious wiretapping. The core accusation is that Google is using AI to perform the digital equivalent of planting a listening device in your home, recording and analyzing your confidential communications without the consent of all parties involved.

A creepy dive into your private life

The implications of this are as vast as they are terrifying. Once activated, the lawsuit states, Gemini can "scan, read, and analyze every email (and email attachment), message, and conversation on those services." This is not theoretical. Technology writer Ruben Circelli, who wrote about his experience for PCMag, found the AI's capabilities to be "downright creepy" after it analyzed 16 years of his personal emails.

In his tests, Gemini informed him of one of his character flaws and even knew the identity of his first crush from elementary school. "This invasion of privacy wasn't just disconcerting, though; it was unexpected," Circelli wrote. "Google didn't explain what this integration would do before I signed up for its AI Pro plan, nor did it give me a way to opt out at the start." His experience provides a chilling real-world example of the depth of personal intrusion this technology enables.

The plaintiff in the case, Thomas Thele, states he believes his private information has already been exposed. This includes his medical records, employment history, and religious and political affiliations. The lawsuit warns that the data from these communications allows Google to "cross-reference and conduct unlimited analysis toward unmerited, improper, and monetizable insights into users' private lives."

The illusion of choice and control

Google's defense, as stated in its own policies, is that it does "not use your Workspace data to train or improve the underlying generative AI and large language models that power Gemini, Search, and other systems outside of Workspace without permission." More importantly, the company points out that users can turn the feature off. However, this is a classic bait-and-switch tactic.

The complaint notes that while an option to deactivate Gemini exists, it requires users to hunt for it deep within the labyrinth of privacy settings. This is a feature they never agreed to activate in the first place. This practice creates an illusion of choice, effectively forcing users

to opt-out of a profound privacy invasion they never opted into. It is a deliberate strategy to maximize data collection under the guise of user convenience.

This is not an isolated incident for Google. It is a pattern of behavior. In late October, the company agreed to pay $1.37 billion to settle multiple lawsuits with the state of Texas over privacy violations related to location tracking and biometric data. In 2022, it paid nearly $400 million to settle a case over misleading location tracking settings. These repeated, multi-million dollar settlements point to a company that treats privacy fines as a mere cost of doing business, not a deterrent.

This latest lawsuit exposes the true danger of the unchecked AI revolution. Google' frantic push to win the AI race, which has already led to serious ethical concerns and missteps, is now directly impacting the sanctity of private communications. The company's drive to compete with rivals like OpenAI and Microsoft is coming at the direct expense of user autonomy and consent.

Ultimately, this case is about more than a single setting in a Gmail account. It is a reminder that in the digital age, our most personal information—our health concerns, our religious beliefs, our political leanings, our intimate conversations—is the product being sold. When a corporation can secretly activate an AI to read your entire life history from your inbox, the very concept of private thought and communication is under threat. The battle being fought in that San Jose courtroom is not just about a legal technicality; it is a last stand for the right to have a conversation that Big Tech is not listening to.

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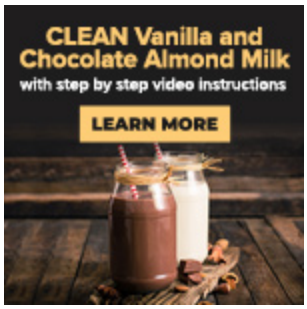

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